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10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 || v.

13 APPROXIMATELY \$9,960.00 IN U.S.
CURRENCY,

Defendant.

2:05-MC-00035 DFL

STIPULATION AND ORDER
EXTENDING THE UNITED STATES'
TIME TO FILE A COMPLAINT FOR
FORFEITURE AND/OR TO OBTAIN AN
INDICTMENT ALLEGING FORFEITURE

16 It is hereby stipulated by and between the United States of
17 America and claimants Ramon Ramirez and Osbaldo Ramirez
18 ("Claimants"), by and through their respective attorney, as
19 follows:

20 1. On or about December 20, 2004, Claimants filed claims, in
21 the administrative forfeiture proceedings, with the Drug
22 Enforcement Administration with respect to the approximately
23 \$9,960.00 in U.S. Currency (the "currency"), which was seized on or
24 about September 22, 2004.

25 2. The Drug Enforcement Administration has sent the written
26 notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to
27 all known interested parties. The time has expired for any person

1 to file a claim to the currency under 18 U.S.C. § 983(a)(2)(A)-(E),
2 and no person other than the Claimants have filed a claim to the
3 currency as required by law in the administrative forfeiture
4 proceeding.

5 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is
6 required to file a complaint for forfeiture against the currency
7 and/or to obtain an indictment alleging that the currency is
8 subject to forfeiture within 90 days after a claim has been filed
9 in the administrative forfeiture proceedings, unless the court
10 extends the deadline for good cause shown or by agreement of the
11 parties.

12 4. By Stipulation and Order filed March 22, 2005, the parties
13 stipulated to extend to July 11, 2005, the time in which the United
14 States is required to file a civil complaint for forfeiture against
15 the currency and/or to obtain an indictment alleging that the
16 currency is subject to forfeiture.

17 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
18 by agreement to further extend to October 11, 2005, the time in
19 which the United States is required to file a civil complaint for
20 forfeiture against the currency and/or to obtain an indictment
21 alleging that the currency is subject to forfeiture.

22 6. Accordingly, the parties agree that the deadline by which
23 the United States shall be required to file a complaint for
24 forfeiture against the currency and/or to obtain an indictment
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26 ///
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1 alleging that the currency is subject to forfeiture shall be
2 extended to October 11, 2005.

3 DATED: 7/6/05

McGREGOR W. SCOTT
United States Attorney

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5 /s/ Phillip A. Talbert
PHILLIP A. TALBERT
6 Assistant U.S. Attorney
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8 DATE: 7-7-05

/s/ Jan David Karowsky

9 JAN DAVID KAROWSKY

10 Attorney for Claimant Ramon Ramirez

11 DATE: 7-7-05

/s/ Michael Long by Jan Karowsky

12 MICHAEL LONG

13 Attorney for Claimant Osbaldo Ramirez
by Jan Karowsky with Mr. Long's
approval

14 (original signatures retained by
15 attorney)

16 **IT IS SO ORDERED.**

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18 DATED: 7/15/2005

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21 DAVID F. LEVI
22 United States District Judge
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